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# Public Notice

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**Applicant:**

**Date:**

TE Products Pipeline Company, LLC. Published: November 1, 2001

~~Expires: December 1, 2001~~

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-CO-R RE: 2001-02587(0) Section: NY 404**

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**Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Texas Eastern Products Pipeline Company, LLC. (TEPPCO), P.O. Box 99, 71-73 Denison Parkway, Corning, New York 14830, has applied for a Department of the Army permit to discharge dredged and fill material into Six Mile Creek, in connection with a proposed creek channel relocation of approximately 165 feet of stream channel and a proposed pipeline remediation, in the Town of Caroline, Tompkins County, New York.

The applicant proposes to install a temporary plug, made of stone and sandbags, in order to divert the creek flow from the east channel to the west channel. This plug shall consist of about 4 cubic yards of fill material. After the east channel is plugged, about 66.7 cubic yards of material shall be removed from this channel to a depth of about 8 to 12 inches, to form a temporary diversion channel for the creek. This material shall be side-cast onto the existing gravel bar in the creek, and shall be used for fill.

After the channel is excavated, the temporary plug shall be removed, and a 4 cubic yard fill plug shall be installed at the upstream and downstream ends of the west channel of the creek, in order to allow the creek to flow through the newly excavated diversion channel. The west channel shall be dewatered, and about 400 cubic yards of riprap fill material shall be installed in this channel and at the west bank of the creek, in order to provide protection. The fill shall be installed over an area about 165 feet long. Material removed to key in the riprap will be used as fill at the bank. The existing exposed pipeline will be covered with fill material to protect the pipeline from damage and exposure.

After the west bank has been stabilized, a permanent creek channel shall be constructed. Some of this creek channel shall follow the location of the temporary channel. About 60 cubic yards of material shall be removed from the area in order to form the new creek channel, which will be located west of the east channel of the creek.

During construction, erosion control measures such as staked straw bales, fabric filter fence, temporary seeding, and straw mulch shall be used to prevent erosion of disturbed areas and excavated spoil material piles.

The purposes of the proposed work are to cover the existing exposed gasline and provide protection for the west bank of the creek.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mel R. Schroeder, who can be contacted by calling (716) 879-4307, or by e-mail at: [mel.r.schroeder@usace.army.mil](mailto:mel.r.schroeder@usace.army.mil)

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Mel R. Schroeder, or by e-mail at: [mel.r.schroeder@usace.army.mil](mailto:mel.r.schroeder@usace.army.mil). A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics,

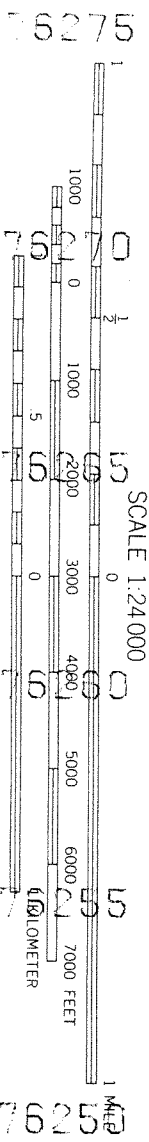
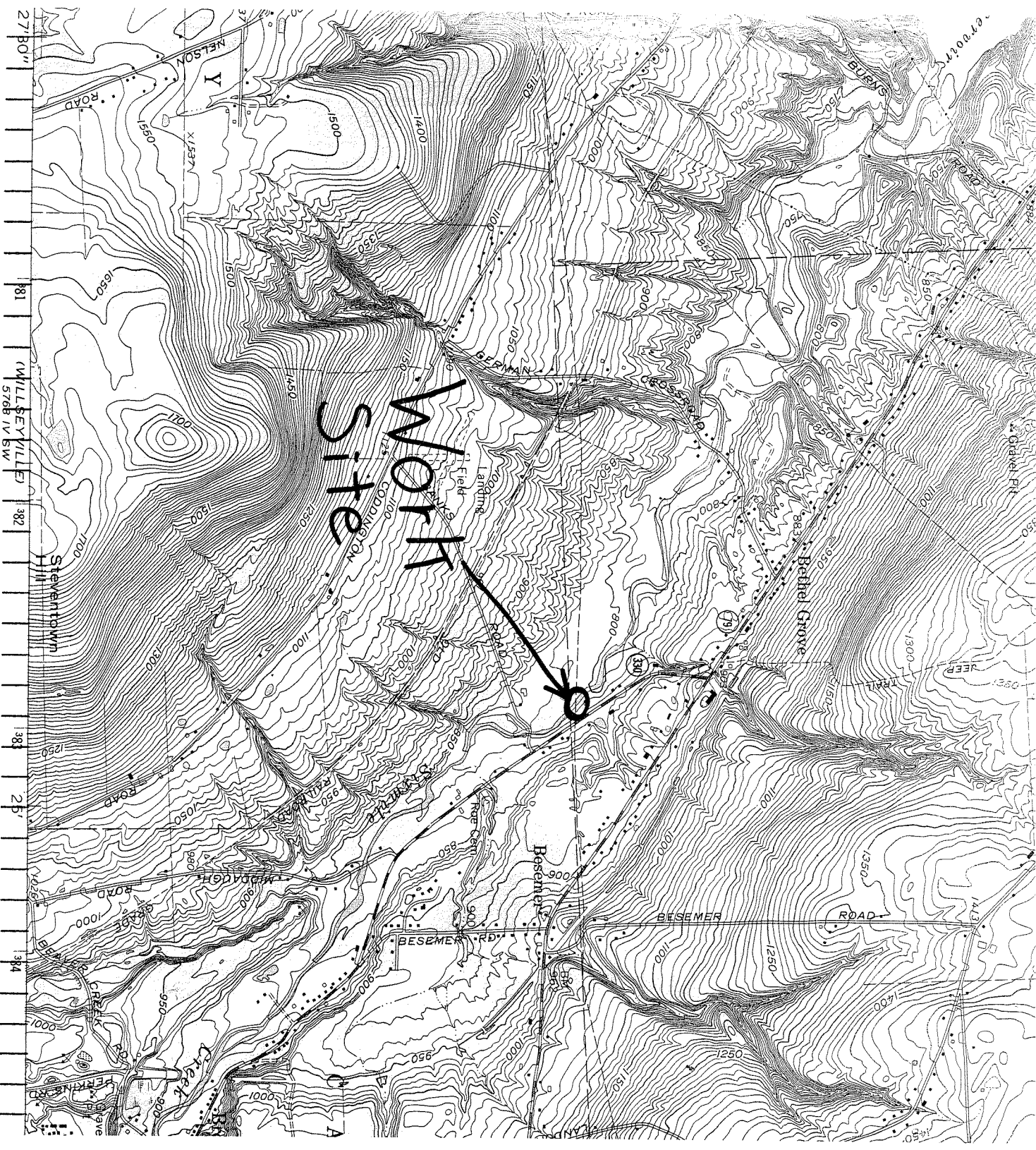
general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land

use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



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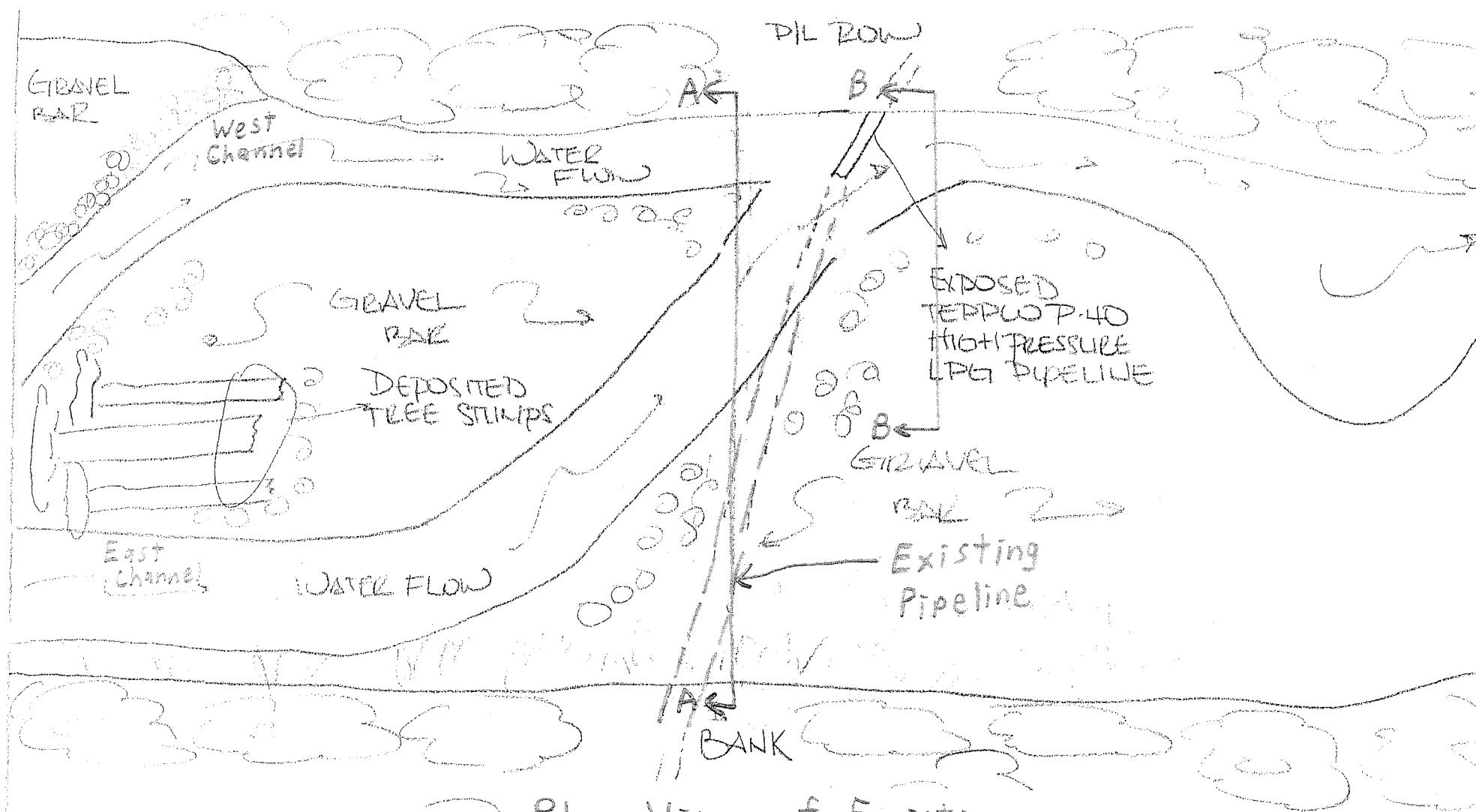
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA/

A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE FROM AERIAL PHOTOGRAPHS

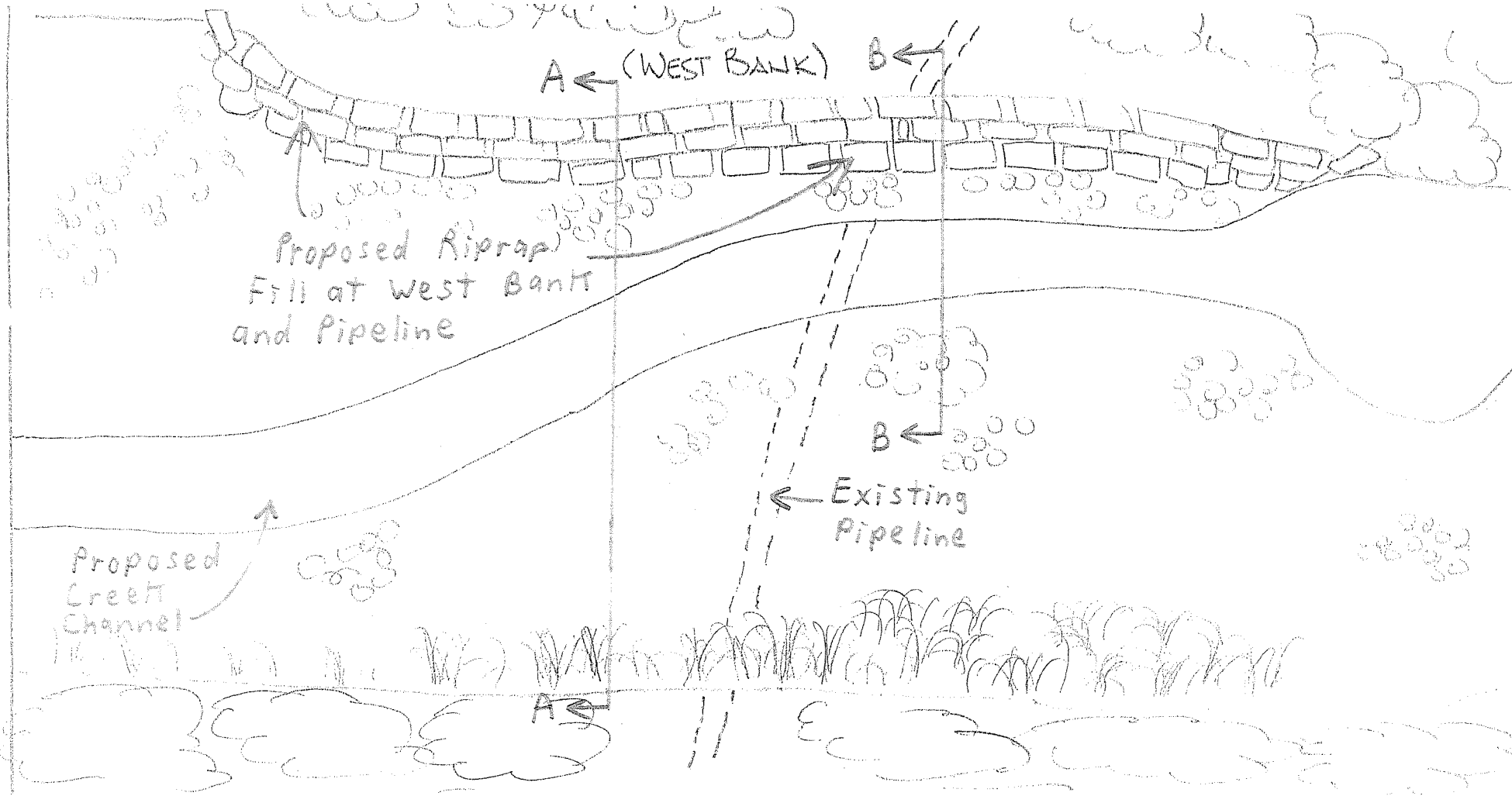
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TE PRODUCTS PIPELINE COMPANY, LLC  
D/A Processing No. 2001-02587(0)  
Tompkins County, New York Quad: ITHACA  
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Sheet 1 of 5



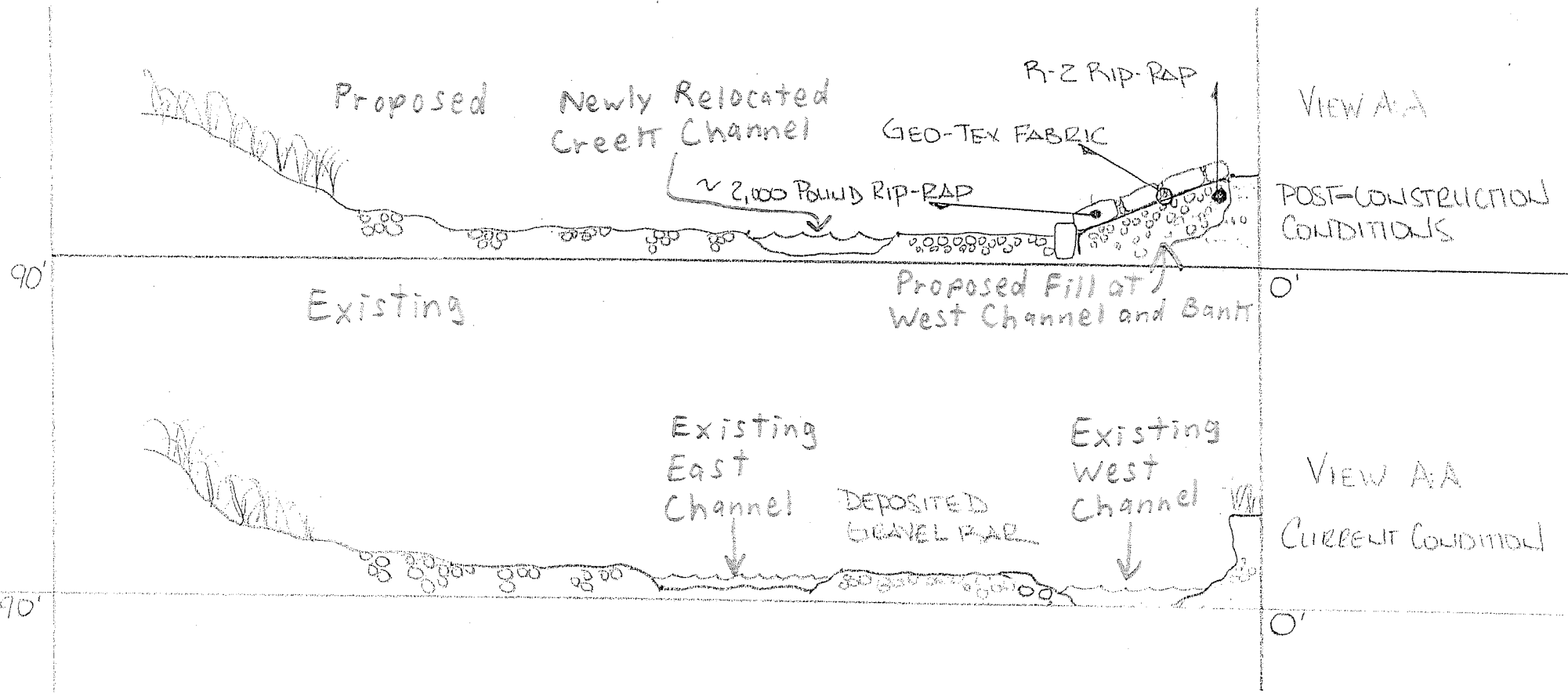


Plan View of Existing  
Conditions at Area of Existing  
Exposed Gasline (Not to  
Scale)



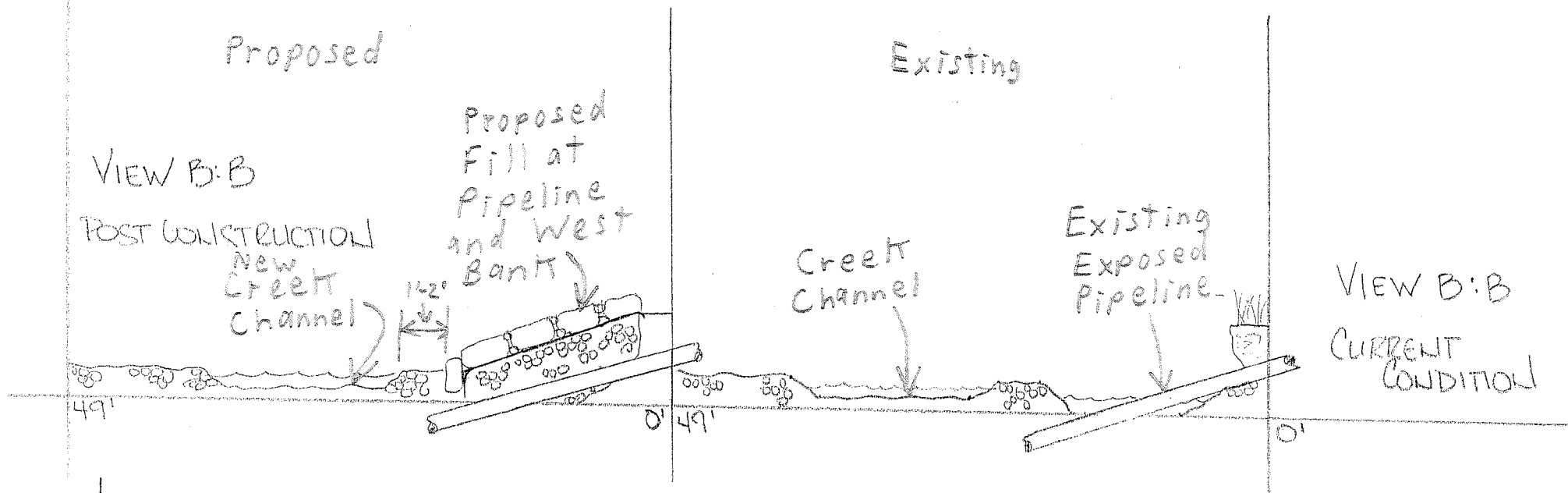
Plan View of Proposed Conditions at Area of Pipeline, Showing Proposed Fill at Pipeline and West Bank and Showing Proposed New Creek Channel Location (Not to Scale)

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Cross-Section View A-A of Existing Creek Conditions and Proposed Conditions, Consisting of Filling in of the West Bank and Channel and of the Newly Relocated Creek Channel (Not to Scale)





Cross-Section View B-B of  
Existing Creek Conditions and  
Proposed Conditions, at the  
Existing Pipeline, Showing the  
Proposed Fill at the Pipeline  
and the New Creek Channel  
(Not to Scale)